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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
- v. -
:
KAREEM SERAGELDIN,
:
Defendant.
:
----- X

CONSENT PRELIMINARY
ORDER OF FORFEITURE/
MONEY JUDGMENT

12 Cr. 90 (AKH)

WHEREAS, on or about February 1, 2012, KAREEM SERAGELDIN (the "Defendant") was charged in a three-count Indictment, 12 Cr. 90 (AKH) (the "Indictment"), with conspiracy to falsify books and records and commit wire fraud, in violation of Title 18, United States Code, Section 371 (Count One); falsifying books and records, in violation of Title 15, United States Code, Sections 78m(b)(2)(A), 78m(b)(5) and 78ff, and Title 17, Code of Federal Regulations, Section 240.13b2-1 (Count Two); and wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Three of the Indictment seeking, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), the forfeiture of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the

offenses alleged in Counts One and Three of the Indictment, including, but not limited to, a sum of money representing the total approximate amount paid by Credit Suisse Group to the Defendant during the time he committed, and as a result of his commission of, the offenses alleged in Counts One and Three of the Indictment;

WHEREAS, on or about April 12, 2013, the Defendant pled guilty to Count One of the Indictment limited to conspiracy to falsify books and records and admitted the forfeiture allegation with respect to Count One of the Indictment limited to conspiracy to falsify books and records, pursuant to a plea agreement with the Government, wherein the Defendant agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), a sum of money totaling \$1,003,368.61;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$1,003,368.61 in United States currency, representing the entire amount of proceeds traceable to the commission of the offense alleged in the Indictment;

WHEREAS, pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A), the Defendant consents to this Consent Preliminary Order of Forfeiture/Money Judgment becoming final as to his interests upon approval of the Court;

WHEREAS, on or about April 8, 2013, the Defendant posted bond in the amount of \$750,000 in United States currency with the United States District Court Clerk's Office (the "Bond Money");

WHEREAS, the Defendant consents to the transfer of the Bond Money to the United States Marshals Service upon his surrender to the United States Bureau of Prisons on or about January 28, 2014;

WHEREAS, the Bond Money is to be classified as a partial payment towards the Defendant's outstanding forfeiture obligation and credited dollar for dollar to the Defendant's outstanding forfeiture obligation;

WHEREAS, after the application of the Bond Money towards the Defendant's outstanding forfeiture obligation, the Defendant will owe \$253,368.61 (the "Remaining Forfeiture Obligation") towards his forfeiture obligation;

WHEREAS, the Defendant wishes to pay the Remaining Forfeiture Obligation from bank account number [REDACTED] 4365, held in the name of Kareem Serageldin at Fidelity Investments (the "Fidelity Account");

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Sharon Cohen

Levin, of counsel, and the Defendant, and his counsel, Sean P. Casey, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$1,003,368.61 in United States currency (the "Money Judgment") shall be entered against the Defendant.

2. Upon the Defendant's surrender to the United States Bureau of Prisons on or about January 28, 2014, the Clerk of the Court for the United States District Court, Southern District of New York is directed to transfer the Bond Money to the United States Marshals Service.

3. The Bond Money shall be a partial payment towards the Defendant's outstanding Money Judgment and credited dollar for dollar to the Defendant's outstanding forfeiture obligation.

4. Within thirty days of entry of this Consent Preliminary Order of Forfeiture/Money Judgment, Fidelity Investments shall, mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007, a bank or certified check in the amount of \$253,368.61 drawn upon the Fidelity Account, and made payable to the "United States Marshals Service," (the "Fidelity Check"). The Fidelity Check

shall indicate the defendant's name and case number, 12 Cr. 90 (AKH).

5. Upon issuance of the Fidelity Check, any hold placed on the Fidelity Account by the United States Attorney's Office for the Southern District of New York shall be lifted.

6. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, KAREEM SERAGELDIN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

7. Upon execution of this Consent Preliminary Order of Forfeiture/Money Judgment and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service shall be authorized to deposit the Bond Amount and the Fidelity Check in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

8. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

9. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary

Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

10. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, Chief of Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

11. The signature pages of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

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12. This Consent Preliminary Order of Forfeiture/Money Judgment represents the complete agreement of the parties and may not be amended without the express written consent of all the parties.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: 

SHARON COHEN LEVIN
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
(212) 637-1060

January 27, 2014
DATE

KAREEM SERAGELDIN
DEFENDANT

By: 

KAREEM SERAGELDIN


27 January 2014
DATE

By: 

SEAN P. CASEY, ESQ.
Attorney for Defendant
Kobre & Kim, LLP
800 Third Avenue, 6th Floor
New York, New York 10022
(212) 488-1205

27 January 2014
DATE

SO ORDERED:


HONORABLE ALVIN K HELLERSTEIN
UNITED STATES DISTRICT JUDGE

1/28/14
DATE